

Testimony concerning HB63

EXHIBIT 2  
DATE 1-8-09  
HB 63

Montana House of Representatives Fish, Wildlife & Parks Committee  
Chairman Van Dyk and Committee Members:

My name is Tom Barnes, age 54. I have resided in Dillon, Montana for 53 years, and am an avid outdoorsman who has hunted, fished and trapped since childhood. I am currently the President of the Montana Trappers Association(MTA) and I am here to represent the MTA Board of Directors as well as members of our organization.

HB63 is a bill aimed at fur dealers; however, there are areas and wording in the bill that are of great concern to the MTA and all fur takers. The Montana Trappers Association does not condone or encourage illegal acts by anyone, be it a fur dealer or a fur harvester, and we certainly understand the MTFWP's concerns and need to have the ability to deal with offenders. However, we do not believe that the changes in this bill will adequately address those concerns.

If HB63 is passed as it is now written, it may inadvertently impose burdensome record keeping duties on the trapper or fur harvester, as well as the Fur Dealer. This bill does not define the word *location* in its reporting requirements. Does location mean county(as is currently required on the Fur Dealer Record?) Or does it mean trapping district, or exact legal location?

It has been stated by the FWP Department that changes in the reporting requirements are necessary to track Montana's bobcat harvest. WHY are additional changes needed. CURRENT regulations require the harvester of a bobcat to personally report the harvest within 24 hours by calling the statewide FWP reporting line, provide name, phone number, ALS number, species, date of harvest, trapping district, county, specific legal description and sex of animal. THEN, the harvester must present the pelt of the bobcat for tagging to a FWP employee within 10 days of harvest, along with the skull of bobcat and all of the above registration data. Trappers or hunters of bobcat may also be required to return to the harvest site if requested by a FWP employee. Why are ANY additional requirements needed?

This bill is being introduced to this committee under the guise of clarifying the term pelt and clarifying records required to be kept by a fur dealer. However, it appears to the Montana Trappers Association that it could give complete authority

to MTFWP and its commission to adopt rules and regulations with the weight and backing of Montana Code of Law.

Specific terms and changes that are of concern to the MTA are as follows:

**Section 2: Records and inspection:**

Part (1) changing "Book" to "Records" is very broad, and could create many gray areas. What is the definition of "records"?

Part (1b) Changing the word "place" to "location" is unnecessary. If by "location", the requirement is to have exact legal description, that would put an undue burden on the fur harvester AND the fur dealer. However, if "location" means county or trapping district, then that wording may be acceptable to the MTA.

Part (1c) requiring the fur dealer to record "the identifying pelt tag number" is confusing. What is a pelt tag number? Which species would this requirement cover? There are no pelt tag numbers for species other than the cites tags for bobcat, otter, pine martin, and wolverine.

**Section 4: Violations**

Leave as is. New additions are wordy, confusing and unnecessary.

New Section 6: Delete. The Montana Trappers Association maintains that no state agency should be given a blank slate on which to adopt rules and regulations.

**New Section 8: Effective Date**

Delete. It is the time of year right now when fur dealers are out buying the current harvest. If this bill becomes effective on passage and approval, how will a dealer or fur harvester know of the changes that have been made? I see other legislation being proposed with effective dates of July 2010 or April 2011. This bill becoming effective upon passage and approval with no notice to the targeted individuals conducting commerce in the state of Montana is unfair and anti-business.

In closing, I would ask that you carefully consider my comments and concerns on behalf of the Montana Trappers Association and myself as a fur harvester.

Thank you!

Again, my name is Tom Barnes from Dillon, and I am current President of the Montana Trappers Association.